

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68891 of 2023

Arising Out of PS. Case No.-557 Year-2022 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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CHANDRADEV PRASAD PANKAJ @ CHANDRADEO PRASAD
PANKAJ SON OF LATE MAHENDRA PRASAD YADAV RESIDENT OF
VILLAGE - JAIRAMPUR, WARD NO.8, POLICE STATION -
MURLIGANJ, DISTRICT - MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rupesh Kumar

For the Opposite Party/s : Mr. Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 01-11-2023 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail,
arises out of Madhepura Complaint Case No. 557 of 2022,
disclosing offences under Sections 323, 341, 420, 504 of the
Indian Penal Code.
3. As per the First Information Report, the petitioner
has allegedly sold the land of the complainant in favour of co-
accused persons.
4. Learned senior counsel for the petitioner submits
that the petitioner has falsely been implicated in the present case
and upon perusal of the complaint, it would be evident that no



offence, much less a criminal offence, is made out against the petitioner. The allegation gives rise to a civil dispute. He further submits that a title suit was filed by the father of the complainant pertaining to the subject land bearing Title Suit, No. 394 of 2015, in which the petitioner is one of the defendants. He next submits that after the death of the father of the complainant, the complainants were substituted in the title suit. All the sections alleged against the petitioner is bailable except Section 420 but no offence under Section 420 is made out in the present case.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the pendency of the title suit between the parties and the nature of allegation against the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, Chandradev Prasad Pankaj @ Chandradeo Prasad Pankaj, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Madhepura, in connection



with Madhepura Complaint Case No. 557 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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